

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CITY OF NORFOLK, VIRGINIA, and
NORFOLK CITY COUNCIL

Plaintiffs,

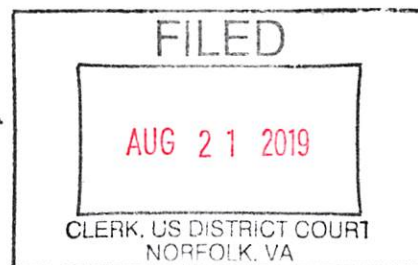
v. Civil Action NO:2:19cv00436 (AWA-DEM)

COMMONWEALTH OF VIRGINIA,
GEORGORY D. UNDERWOOD,
COMMONWEALTH'S ATTORNEY
for the CITY OF NORFOLK,
in his official capacity,
and MARK R. HERRING,
ATTORNEY GENERAL for the
COMMONWEALTH OF VIRGINIA,
in his official capacity,

Defendants.

PLAINTIFFS-INTERVENOR ROY L. PERRY-BEY AND RONALD M. GREEN
MOTION TO INTERVENE

Roy L. Perry-Bey, and Ronald M. Green respectfully moves pursuant to Federal Rule of Civil Procedure 24 to intervene as a plaintiff in this action. Intervention is warranted as of right because Roy L. Perry-Bey and Ronald M. Green' interest in declaring the state law protecting war memorials infringing upon the First and Fourteenth Amendment rights of the city, City Council and intervenor Plaintiffs, because the city is projecting an exclusive private message of White supremacy hate speech on behalf of the Confederacy publicly directed at intervenor plaintiffs, cannot be fully represented or protected by plaintiffs the City and City Council, and this interest will be impaired if Roy L. Perry-Bey and Ronald M.



Green is not permitted to intervene. See Fed. R. Civ. P. 24(a)(2).

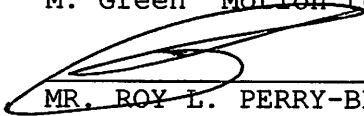
In the alternative, Roy L. Perry-Bey and Ronald M. Green should be granted leave to intervene because:

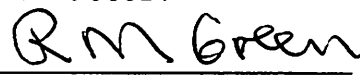
(1) Roy L. Perry-Bey and Ronald M. Green' claims against City of Norfolk Virginia share with this action common questions of law and fact; and

(2) this action involves the constitutionality of the rights of the inventor plaintiffs and Virginia law that bars moving Confederate monuments, a statute that Virginia Assembly has entrusted to the State Attorney General to administer. See Fed. R. Civ. P. 24(b)(1), (2).

Before filing this Motion, inventor plaintiffs conferred with counsel for all parties filed in Norfolk Circuit Court *in re* Roy L. Perry-Bey and Ronald M. Green, v. City of Norfolk Virginia, *et al.*, CL19-3928, they never objected to consent or removal to Roy L. Perry-Bey and Ronald M. Green's intervention.

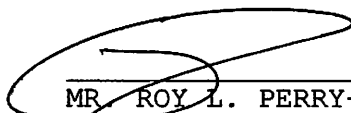
For the reasons discussed herein and the intervenor hereby request for leave and time to file an accompanying Memorandum of Law, Roy L. Perry-Bey and Ronald M. Green respectfully requests that the Court grant Roy L. Perry-Bey and Ronald M. Green' Motion to Intervene in this matter.


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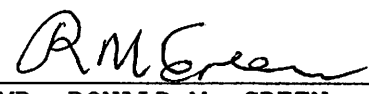

MR. RONALD M. GREEN
5540 BARNHOLLOW ROAD
NORFOLK, VA 23502
(757) 348-0436

CERTIFICATION OF SERVICE

I hereby certify that a true copy of the foregoing was mailed postage paid USPS on this 21st day of August, 2019 to Adam Daniel Melita, Deputy City Attorney, Law Department, City of Norfolk, 810 Union St. 9th Floor, City Hall Bldg. Norfolk, VA 23510.



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